



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



August 12, 2003

LETTER OF DEFICIENCY #WSEB 03-212
CERTIFIED MAIL #7099 3400 0003 0690 9588

James Haney
Milton Water District
7 Elm Street
Milton, NH 03851

Subject: Milton - Public Water System: Milton Water District (EPA #1581010)

Dear Mr. Haney:

The records of the Department of Environmental Services (DES) show that the subject water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days per year. As such, the owner of the water system is required to comply with NH Administrative Rule Env-Ws 300, *New Hampshire Drinking Water Rules*.

EMERGENCY PLAN

Pursuant to Env-Ws 360.14, the water system owner was required to submit an Emergency Plan to DES by March 15, 2003.

On or about March 21, 2002, DES sent the subject water system a letter that explained the requirements of the Emergency Plan rule, noted the deadline of March 15, 2003, for submission of the Emergency Plan to DES, and indicated how to obtain assistance in preparing the Emergency Plan. DES records indicate that the water system did not submit an Emergency Plan by the March 15, 2003 deadline. DES records show that the water system was sent a second letter, dated March 31, 2003, which noted the failure of the system to submit an Emergency Plan to DES by the March 15, 2003 deadline and requested that the Emergency Plan be submitted by June 30, 2003.

To date, the system has not submitted an Emergency Plan to DES, thus placing the system in violation of Env-Ws 360.14.

DES believes the Emergency Plan violation can be corrected by taking the following action:

- 1 By September 9, 2003, submit to DES an Emergency Plan that meets the requirements of Env-Ws 360.14.**

Guidance documents and instructions, along with information for free, on-site assistance are available at <http://www.des.state.nh.us/wseb/EmergencyPlanning/index.asp>. Please contact Johnna McKenna at (603) 271-7017 or by email at jmckenna@des.state.nh.us, if you have any questions regarding the preparation and submission of the Emergency Plan.

CONSUMER CONFIDENCE REPORT

Pursuant to Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year and to submit certification of the CCR to DES by October 1st of each year.

DES records show that the subject water system failed to prepare and deliver the 2003 CCR to customers and DES by July 1, 2003. The failure to prepare and deliver the 2003 CCR places the water system in violation of Env-Ws 352.

DES believes the CCR violation can be corrected and future violations prevented by taking the following actions:

2. **By September 9, 2003, prepare and deliver to the water system's customers and DES the 2003 Consumer Confidence Report containing calendar year 2002 drinking water information; and**
3. **By October 1, 2003, submit to DES the 2003 CCR certification.**

A CCR template with instructions is available for downloading free of charge at www.des.state.nh.us/wseb/ccr.htm. If your system uses the state laboratory, laboratory results are available from this website also. Please contact Richard Thayer at (603) 271-2950 or by email at rthayer@des.state.nh.us, if you have any questions regarding the preparation and certification of the 2003 CCR.

In the event compliance is not achieved within the above listed period(s), DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All the above requested information should be addressed as follows:

Department of Environmental Services
Attn: A. Bailey
Water Supply Engineering Bureau
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Letter of Deficiency #WSEB 03-212
Milton Water District
August 12, 2003
Page 3 of 3

If you have any questions concerning this letter, please contact Anne Bailey at (603) 271-0672 or by email at abailey@des.state.nh.us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Anthony P. Giunta', is written over a large, bold, black 'COPY' stamp.

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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cc: Gretchen Rule, DES Legal Unit
Health Officer Town of Milton
Scott Pike, Primary Operator
EPA, Region 1